

Dear FCC

I, James N. Rounsavell, hereby submit these comments, in letter form, in response to the Commission's recent Notice of Proposed Rulemaking ("NPRM") in the proceeding: "Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, CG Docket No. 02-278."

On May 2, 2001, commencing at 1:14:02 PM, Pacific Daylight Time, I received continuous phone calls, every 2 =BE to 3 minutes, to my telephone 877-726-7921. These phone calls originated from 302-429-8750. These phone calls continued incessantly, day and night for twelve days.

Can you imagine a form of torture like a drip of water hitting your forehead every 3 minutes, day and night, for 12 days? The first drop you can handle, also the second, but after 10 and then twenty you just begin to set and wait for the next invasion of your serenity, your privacy and all your guaranteed rights to the pursuit of happiness. Another comparison would be the knocking on your door or ringing of your door bell every three minutes for twelve days where your hands and feet are tied so that you are unable to answer. You can't sleep, you can't really get involved in anything. Allyou can do is wait because you know that the knock or the ring is going to be heard again and again and again.

What did I do to try and stop this intrusion? (1). I called my local telephone company and asked them to block the calls. They stated that it was against the law to block a phone from making incoming calls. (2). I called my long distance provider, AT & T, and they stated that they had no authority to stop the calls. They asked me to contact the provider of the long distance service in the area where the calls were originating. (3) I contacted Verizon Wireless and they stated that they had no authority to block calls from the offending telephone.

Since those attempts did not work I (4) contacted the Westover Police Department in Wilmington, Delaware, where the calls were originating, and they informed me they would work with my local police department but they could not do anything to stop the phone calls per my complaint. (5). I contacted my local police department, Citrus Heights Police Department, and they assigned an officer to the case. He later informed me that the phone number, 302-429-8750, belonged to LCC International and was located at 2200 Concord Pike, (Rollins Building), Wilmington, Delaware 19803-2909. (6) I then called the FBI since it was an Interstate event. The agent informed me that there was nothing the FBI could do since it we were not being harassed. However, the agent informed me that I should contact a lawyer and introduce a civil case against LCC International. (7) I contacted the California Attorney General's Office and was told to write them a letter for their files. This I did. (8) I contacted the California Public Utilities Commission and was informed that in California it was not illegal to dial 24 hours

a day but that I should contact the FCC and lodge a complaint. She gave me the FCC phone number. (9) I then contacted the FCC. This was on May 4, 2001, and a lady, Betsy, took my report and filed the complaint. (10) I dialed the 302-429-8750 telephone number, the phone number of origin, from my FAX phone and attempted to send a FAX to have them stop the phone calls. The two devices communicated but their machine would not acknowledge and receive my FAX. (10) I /we continued to stay in touch with our local telephone repair service, Roseville Telephone, and they informed us on Friday, May 4, 2001, they had contacted the company that owned the phone and they stated that they had been assured, by a person of authority, that they would have the phone calls stopped immediately. The phone calls continued for ten more days.

For the twelve days that my phone rang constantly, I was unable to rest, unable to get any phone communications from my family, my friends or business associates. I received a phone bill for these phone calls and was charged over \$450.00 for these phone calls.

I have since learned that these phone calls were caused by a satellite "repeater" programmed with my toll-free number.

I petition the FCC to formulate rules and regulations that make it clear that satellite repeaters and similar devices that repeatedly dial telephone numbers are "automatic telephone dialing systems" within the meaning of the TCPA. Companies that use such devices should have an obligation to assure that the machines are programmed properly or that the devices will cease calling within a reasonable time if programmed improperly. No one should have to experience the harassment I experienced.

Thanks for your consideration.

Yours truly,

JAMES N. ROUNSAVELL

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